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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

<b>In re:</b>	<b>Case No. 08-44400 WJL</b>
<b>JAMES DONALD BEAVER and</b>	<b>Chapter 13</b>
<b>MARYLYN LOUISE BEAVER,</b>	
<b>Debtors.</b>	<b>MOTION TO MODIFY CHAPTER 13 PLAN;</b>
	<b>NOTICE TO CREDITORS OF</b>
	<b><u>DEADLINE TO REQUEST A HEARING</u></b>

The above-named debtors apply to the court for an order to modify their Chapter 13 Plan as follows:

Debtors shall surrender the real property located at 37721 Cedar Blvd., Newark, CA 94560 to Bank of the West & the Alameda County Treasurer-Tax Collector.

The modification is sought on the following grounds:  
Debtors can no longer afford their mortgage payments.

**NOTICE IS HEREBY GIVEN:**

(i) That Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California prescribes the procedures to be followed and that any objection to the requested relief, or a request for hearing on the matter must be filed and served upon the undersigned

1 within twenty one (21) days of mailing of this notice;

2 (ii) That a request for hearing or objection must be accompanied  
3 by any declarations or memoranda of law the party objecting or requesting  
4 wishes to present in support of its position;

5 (iii) That if there is not a timely objection to the requested  
6 relief or a request for hearing, the Court may enter an order granting  
7 the relief by default; and

8 (iv) That the undersigned will give at least seven (7) days written  
9 notice of hearing to the objecting or requesting party, and to any  
10 trustee or committee appointed in the case, in the event an objection or  
11 request for hearing is timely made.

12 Dated: May 17, 2011

13 /s/ Patrick L. Forte  
14 PATRICK L. FORTE  
15 Attorney for Debtors  
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